

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT KIRBY WELLS,

Debtor.

FARMERS INSURANCE FEDERAL CREDIT
UNION,

Garnishee.

Case No. 2:24-MC-00356-WBS-SCR

**FINAL ORDER OF CONTINUING
GARNISHMENT**

Criminal Case No. 2:21-CR-00164-WBS

On September 12, 2024, the United States filed an Application for Writ of Continuing Garnishment against Robert Kirby Wells' ("Debtor") interest in property. ECF 1. The Clerk of the Court issued the Writ and Clerk's Notice to Debtor. ECF 3. The United States served the Writ and related documents on Farmers Insurance Federal Credit Union, ("Garnishee") and Debtor. ECFs 4, 6.

On October 7, 2024, Garnishee served its Acknowledgment of Service and Answer of Garnishee on Debtor and the United States ("Answer"). ECF 5. In its answer, Garnishee stated that it has possession of bank accounts with an approximate total value of \$28,723.48. *Id.* Debtor filed objections and a request for hearing, claiming that the property was subject to exemptions and alleged that the

United States' application suffered fatal procedural deficiencies. ECF 8. The United States filed an opposition. ECF 10. A hearing was conducted on November 19, 2024. ECF 15.

Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 302, on March 10, 2025, the Magistrate Judge issued findings and recommendations that recommended that Debtor's objections be overruled, that the United States' request for final order of garnishment be granted and ordered that any objections were due within 14 days after service. ECF 16. The United States served the findings and recommendations on Debtor on March 13, 2025. ECFs 18, 20. Debtor did not object and the time to do so has passed.

In accordance with 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of the case. Having carefully reviewed the file, the Court concludes that the Magistrate Judge's findings and recommendations are supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED THAT:

1. The Findings and Recommendations for Final Order of Continuing Garnishment (ECF 16) are ADOPTED IN FULL;

2. Garnishee Farmers Insurance Federal Credit Union is directed to pay the Clerk of the United States District Court all funds held by Garnishee in which Debtor Robert Kirby Wells has an interest within fifteen (15) days of the filing of this Final Order of Garnishment. Payment shall be made in the form of a check, money order, or company draft, made payable to the "Clerk of the Court" and delivered to:

Office of the Clerk
501 I St., Rm. 4-200
Sacramento, CA 95814


The criminal docket number (**2:21-CR-00164-WBS**) shall be stated on the payment instrument;

3. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the case, if necessary; and

4. The garnishment shall terminate when the payment is deposited with the Clerk of the Court.

IT IS SO ORDERED.

Dated: May 2, 2025


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE